

REMARKS

Claims 1-23 remain pending in the application. Claims 1, 8, 9, 13, 14, 18 and 23 are amended.

Finality of Office Action

In the 7/16/07 Office Action Summary, the Examiner has designated this action as non-final. On page 2 of the 7/16/07 Office Action, the Examiner has designated this action as final. In light of this inconsistency, the Applicant has followed the Office Action Summary and respectfully requests that the office action be treated as non-final.

Claims 1-23 – Section 112, first paragraph rejection

In the 7/16/07 Office Action, claims 1-23 were rejected under 35 U.S.C. § 112, first paragraph, on the ground that they contain subject matter that was not described in the specification. The Applicant has amended the claims to eliminate such allegedly new subject matter. Accordingly, it is respectfully requested that the rejection be withdrawn.

Claims 9 and 14

In the 1/12/07 Office Action, the Examiner indicated that Claims 9 and 14 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicant has now rewritten Claims 9 and 14 in independent form as suggested by the Examiner. It is respectfully requested that the objection be withdrawn and claims 9 and 14 be allowed.

Claims 1-5, 8, 10, 13 and 15 over Bell

Because of the allegedly new subject matter being added to the claims, the Examiner maintained the prior art rejections in the 1/12/07 Office Action, where claims 1-5, 8, 10, 13 and 15 were rejected under 35 U.S.C. §102(b)

as allegedly being anticipated by U.S. Patent No. 6,405,027 to Bell ("Bell"). The Applicant respectfully traverses the rejection.

Claims 1-5 recite a cellular telephone comprising a cordless telephone PSTN gateway role that allows an incoming call to the cellular telephone to be forwarded over a piconet network without user intervention in response to the call and answered by a remote telephone piconet device instead of by the cellular telephone. Claims 8, 10, 13 and 15 recite establishing a piconet network comprising a cellular telephone and a remote telephone piconet device in direct communication and allowing an incoming call to the cellular telephone to be forwarded over a piconet network without user intervention in response to the call and answered by another telephone device instead of by the cellular telephone

Bell appears to disclose a mobile communication device that allows a conference call to be established using a piconet network. In Bell, the user of a device places a call, puts the answering device on hold, and then through a Bluetooth network establishes connections with one or more devices. The user of the device then releases the "hold status" of the calls and maintains a group call with the other devices. Bell, Col. 4, line 61 through Col. 5, line 28. Thus, Bell does not disclose a cellular device where an incoming call to the cellular device is answered by a remote device over a piconet network instead of by the cellular device, as recited by claims 1-5, 8, 10, 13 and 15. Moreover, Bell requires the user of the device to establish the group call. Therefore, Bell does not disclose the incoming call being forwarded over a piconet network without user intervention and answered by a remote device instead of by the cellular device, as recited by claims 1-5, 8, 10, 13 and 15.

Hence, the rejection should be withdrawn because it fails to demonstrate that Bell discloses each and every element of the claim. See MPEP 2131. "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). "Anticipation cannot be predicated on teachings in the reference which are vague or based on conjecture."

Studiengesellschaft Kohle mbH v. Dart Industries, Inc., 549 F. Supp. 716, 216 USPQ 381 (D. Del. 1982), aff'd., 726 F.2d 724, 220 USPQ 841 (Fed. Cir. 1984).

Accordingly, for at least all the above reasons, claims 1-5, 8, 10, 13 and 15 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 6, 7, 11, 12, 16-17 and 18-23 over Bell and BLUETOOTH

Because of the allegedly new subject matter being added to the claims, the Examiner maintained the prior art rejections in the 1/12/07 Office Action, where claims 6, 7, 11, 12, 16-17 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bell in view of the BLUETOOTH Specification. Claims 18-22 were rejected over the BLUETOOTH Specification in view of Bell. The Applicant respectfully traverses the rejection.

Claims 6 and 7 are dependent on claim 1. Claims 11 and 12 are dependent on claim 8. Claims 11 and 12 are dependent on claim 10. Claims 16 and 17 are dependent on claim 13. Claims 6, 7, 11, 12 and 16-17 are patentable over the prior art of record for the same reasons that their respective independent claims are patentable.

Claims 7, 11 and 16 contain the additional limitation that the piconet network comprises a scatternet connection. Claims 6, 11, and 17 contain the additional limitation that there is a list of authorized remote terminals allowed to answer an incoming call to the cellular device. Claims 18-23 recite allowing an incoming call to the cellular telephone to be forwarded over a piconet network without user intervention in response to the call and answered by a remote telephone piconet device instead of by the cellular telephone and also passing incoming call related information from the cellular telephone receiving an incoming call directly to the remote telephone piconet device over a wireless piconet.

The Examiner claims that the BLUETOOTH Specification contains these additional limitations and in combination with Bell discloses or suggests the

limitations of claims 6, 7, 11, 12, 16-17 and 18-23. The Applicants respectfully disagree.

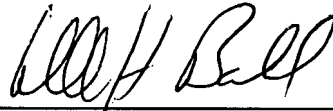
The BLUETOOTH Specification discloses a Gateway that acts as a terminal endpoint from an external network point and handles all interworking towards that network (see page 104). The BLUETOOTH Specification also discloses a Gateway that supports multiple terminals being active at once (see page 104). "Connecting to the gateway so that incoming calls can be routed to the TL and outgoing calls can be originated." (see BLUETOOTH Specification, page 105). Thus, the BLUETOOTH Specification discloses use of a Gateway to allow incoming calls to be routed to a terminal. It, however, fails to disclose routing of calls from one Bluetooth device to another Bluetooth device. Thus Bell and the BLUETOOTH Specification, either alone or in combination, fail to disclose or suggest allowing an incoming call to the cellular telephone to be forwarded over a piconet network without user intervention in response to the call and answered by a remote telephone piconet device instead of by the cellular telephone, as recited by claims 6, 7, 11, 12, 16-17 and 18-23.

Accordingly, for at least all the above reasons, claims 6, 7, 11, 12, 16-17 and 18-23 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William H. Bollman', written over a horizontal line.

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